1
2011 NOBLETON COMMUNITY DEVELOPMENT CHARGE BY-LAW UPDATE AND DRAFT BACKGROUND STUDY TOWNSHIP OF KING

Pursuant to the *Development Charges Act, 1997*, the Regional Finance and Administration Committee held a public meeting to consider a new area-specific bylaw for the imposition of sanitary sewer development charges against land in the Nobleton Community.

No one appeared in favour of or in opposition to the proposed development charge rates.

The Finance and Administration Committee recommends the adoption of the recommendations contained in the following report dated May 31, 2011, from the Director of Financial Services and Deputy Treasurer.

1. RECOMMENDATIONS

It is recommended that:

1. Regional Council adopt the proposed Nobleton Area-Specific sewer development charge rates contained in Table 1 of this report.

2. The proposed Area-Specific By-Law, including any rate adjustments as a result of input received at the public meeting be brought forward to Regional Council on June 23, 2011 for enactment on September 21, 2011.

2. PURPOSE

This report tables the draft Nobleton Area-Specific Development Charge Background Study and By-law and seeks Council approval of the proposed updated sewer rates and timetable for enactment.

3. BACKGROUND

On June 10, 2004, Regional Council authorized Staff to enact an area-specific By-law for Nobleton sewage services The Nobleton Area-Specific Development Charge By-law for sewage servicing was enacted on September 21, 2006 and will expire on September 20, 2011. C. N. Watson and Associates has completed a draft background study including proposed sewer development charge rates for the Nobleton Community (*Attachment 1*). This study was made available at the May 5, 2011 Finance and Administration Committee meeting.

The growth-related costs have been included in order to calculate applicable development charges for the portion of the sanitary sewers that are within the Region's jurisdiction. This By-law is to be enacted for a five year period and will continue to be renewed until the costs have been fully recovered from development.

As growth related sewer costs are provided through the Nobleton area-specific By-law, these costs are not included in the Region-wide By-Law. The Region-wide charges for all other components (water, roads, transit, general services and GO Transit) will continue to apply in the Nobleton Community.

4. ANALYSIS AND OPTIONS

Nobleton Water Pollution Control Plant cost of $23.1 million is included in the Background Study

The Nobleton Water Pollution Control Plant is estimated to cost $23.1 million. This has been updated from the 2006 estimated cost of $19.1 million and further updated from $22.6 million as noted in the May 5, 2011 report to the Finance and Administration Committee. The Background Study costs include the following components:

- Forcemain and Trunk Sewer
- Sewage Pumping Station
- Water Pollution Control Plant
- Outfall and Wetland
- Also includes additional phosphorous offset and sewage haulage costs during initial plant operation
- Engineering and Project Management
- Additional mitigating works

The project costs have been updated to reflect the following works as noted above. The increased costs of approximately $2 million have been included in the Nobleton Area Specific By-law and as a result the Sewer Development Charge rate has been updated. The residential rate calculation is based on the eligible costs and the number of units for which development charges have not yet been paid in the Nobleton Area.

Development charges are applied 75% residential and 25% non-residential

The development charges in the Nobleton Community are applied to residential and non-residential development using a split of 75% / 25%. For non-residential development, the charges are applied based on Gross Floor Area (GFA). The same charge will apply to all non-residential development – industrial, commercial and retail.

The full non-residential development charge rate is applied to non-residential development in order to recover the cost of the sewer works from development in the Nobleton Community. This By-law is to be enacted for a five year period and will continue to be renewed until the costs have been fully recovered from development.

5. FINANCIAL IMPLICATIONS

The growth related costs for the Nobleton sewage servicing works will be recovered from the Regional area specific development charges and the non-growth costs will be borne by the developer as per the Nobleton Prepaid Development Charge Agreement dated September 25, 2006. As part of the 2012 Development Charge By-law update, consideration may be given to incorporate the Nobleton area specific DC into the Region wide DC By-law.

Below are the proposed residential and non-residential sewer development charge rates for the Nobleton Community:

Table 1
Sewer Development Charge Rates

Residential Type	Current Rate	Proposed Rate
Single and Semi-Detached	$8,183	$9,438
Multiple unit Dwelling	$7,335	$8,461
Apartments 2+ Bedrooms	$5,134	$5,920
Apartments <2 Bedrooms	$3,535	$4,077
Non-Residential		
Industrial/Office/Institutional	$5.58	$5.47
Retail	$5.58	$5.47

6. LOCAL MUNICIPAL IMPACT

The development charges provide a major source of financing for the Nobleton Water Pollution Control Plant, pumping station, forcemain and trunk sewer which will facilitate the build-out of the plans of subdivisions within the Nobleton Community.

7. CONCLUSION

The background study is required in order to enact the area-specific By-law and forms the basis of the June 9, 2011 public meeting. It is proposed that input received be considered and any necessary changes as a result of the public meeting be tabled for enactment of the by-law by Regional Council at its meeting of June 23, 2011.

For more information on this report, please contact Kelly Strueby, Director, Business Planning and Budgets at Ext. 1611.

The Senior Management Group has reviewed this report.

(The attachment referred to in this clause was included in the agenda for the June 9, 2011 Committee meeting.)

REGIONAL MUNICIPALITY OF YORK

DRAFT NOBLETON AREA-SPECIFIC DEVELOPMENT CHARGE BACKGROUND STUDY UPATE

FOR WASTEWATER TREATMENT SERVICES

MAY 3, 2011

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Planning for growth

CONTENTS

EXECUTIVE SUMMARY

EXECUTIVE SUMMARY

1. The report provided herein represents the Development Charge Background Study for the Regional Municipality of York required by the *Development Charges Act* (DCA). This report has been prepared in accordance with the methodology required under the DCA. The contents include the following:

   - Chapter 1 – Overview of the legislative requirements of the Act;
   - Chapter 2 – Review of present Development Charge policies of the Municipality;
   - Chapter 3 – Summary of the residential and non-residential growth forecasts for the Municipality;
   - Chapter 4 – Development-Related Servicing Requirements;
   - Chapter 5 – Approach to calculating the Development Charge;
   - Chapter 6 – By-law approval process;
   - Chapter 7 – By-law policy considerations;

   This Background Study has been prepared pursuant to Section 10 of the Development Charges Act, 1997 (DCA) and, together with the proposed by-law is being made available to the public more than two weeks prior to the public meeting, which is to be held on June 9, 2011.

2. The purpose of this report is to undertake a development charge calculation to recover the growth-related costs for the portion of the sanitary sewage servicing which is under the Region’s jurisdiction (Region provides for sewage treatment whereas the Township will provide for the collection system).

3. A secondary plan (Township OPA #57) was prepared for the community of Nobleton which would see population grow to 6,500 persons and would also provide for employment opportunities. An assessment of the population and employment (based upon a population equivalent) was prepared by Totten Sims Hubicki Ltd. in developing the overall benefit of the Region’s sewer works. A summary of the non-growth and growth is provided below:

Population and Land Use

Item	Population Equivalent
Non-Growth	
Residential Lots	1,001
Residential Population	3,085
Non-Residential Population Equivalent	311
Total Non-Growth Population Equivalents	3,396
Growth	
Residential Lots	1,200
Residential Population	3,445
Non-Residential Population Equivalent	1,127
Total Growth Population Equivalents	4,572
Total	
Residential Lots	2,201
Residential Population	6,530
Non-Residential Population Equivalent	1,438
Total Population Equivalents	7,968

4. The Region's costs include a forcemain and trunk sewer, sewage pumping station, water pollution control plant and outfall and wet land. The updated 2011 amount of cost for each component is provided below:

Component	**Cost**
Forcemain & Trunk Sewer	$3,365,109
Sewage Pumping Station	2,500,000
Water Pollution Control Plant	13,514,628
Outfall & Wet Land	900,000
Engineering and Project Management	2,823,317
Total for Area Specific Development Charge	$23,103,054

7. The Region entered into a Development Charge credit agreement with a developing landowner in Nobleton. Using the updated costing information, the costs of $23,103,054 are allocated as follows:

Cost Distribution

	Residential	Non-residential	Total	%
Non-Growth	$8,736,523	$879,969	$9,616,492	41.62%
Growth	$10,163,106	$3,323,457	$13,486,563	58.38%
Total	$18,899,630	$4,203,428	$23,103,054	100.00%

8. Based on the above, the growth-related capital costs to be recovered from the residential development totals $10,163,106. The growth-related non-residential cost share is $3,323,457. Chapter 5 provides for calculations which recognise that approximately 698 units have paid the sewer development charge. After adjustments for these credits and indexing, Table 5-1 provides for the calculation of the updated charges as follows:

By Residential Unit Type	
Single and Semi-Detached	$9,438
Apartments - 2 Bedrooms or more	$5,920
Apartments - Less than 2 Bedrooms	$4,077
Multiple Unit Dwelling	$8,461
Non-Residential ($/GFA)	$5.47

1. INTRODUCTION

1. INTRODUCTION

1.1 Background

For background purposes, the Community of Nobleton is located in the Township of King at Highway 27 and King Sideroad. The population of the community in 2006 was approximately 3,100 persons. Sewage servicing within the community at that time was provided by on-site sewage systems, generally septic tanks and tile fields.

Early in the decade, a secondary plan (Township OPA #57) was prepared for the Community of Nobleton which would see the population grow to 6,500 persons. The secondary plan provides for full municipal servicing of both non-growth and growth within Nobleton. In 2002, a Class Environmental Assessment was completed for sanitary sewage servicing of the residents. The selected sewage system from that process provides a wastewater treatment plant and a treated effluent outlet pipe discharging into the Humber River (Main Branch).

The purpose of the 2006 Development Charge report was to provide the development charge calculation to recover the growth-related costs for the portion of the sanitary sewage servicing which is under the Regional Municipality of York's (the Region) jurisdiction (Region provides for sewage treatment whereas the Township will provide for the collection system). At that time, the Region passed an area-specific by-law for the recovery of the Nobleton specific sanitary servicing costs. The updated Development Charge by-law requires the necessary calculations to support this updated area-specific charge which is provided herein.

The basis for the calculation of the Regional Municipality of York – Nobleton Area-Specific Development Charge By-law existing schedule of residential and non-residential charges is documented in the "Regional Municipality of York Nobleton Area-Specific Development Charge Background Study for Wastewater Treatment Services" dated May 23, 2006. A public meeting was held on June 8, 2006 and Council enacted and passed By-law DC-006-2006-090, "A by-law for the imposition of development charges against land in the Nobleton Community of the Township of King" on September 21, 2006. By-law DC-006-2006-090 came into force on September 21, 2006 and will expire September 20, 2011.

At the time of passage, the rate schedules adopted by Council were as follows:

Residential	Single and Semi-Detached	Multiple Unit Dwelling	Apartments - 2 Bedrooms or more	Apartments - Less than 2 Bedrooms
Sewer works	$7,085	$6,351	$4,444	$3,060

Non-Residential	Per Square Foot of Gross Floor Area		Per Square Metre of Gross Floor Area	
	Industrial / Office / Institutional	Retail	Industrial / Office / Institutional	Retail
Sewer works	$4.83	$4.83	$51.94	$51.94

Subsequent to the adoption of By-law DC-006-2006-090, the capital costs for the wastewater projects have increased. The 2006 Development Charge Background Study provided capital cost estimates whereas actual costs are now available. This study undertakes the recalculation of the rates based on the updated costs.

2. CURRENT REGION DEVELOPMENT CHARGE POLICIES

2. CURRENT REGION DEVELOPMENT CHARGE POLICIES

At present, Development charges are imposed against all new development (residential and non-residential lands, buildings or structures) within the Regional Municipality of York at the time of development approvals, in accordance with the Development Charges Act, 1997.

On May 24, 2007, Regional Council enacted Development Charge By-law DC-0007-2007-040 in order to recover costs associated with York Region's growth-related capital program. Regional Council enacted By-law 2010-49 on June 24, 2010, an amendment to the 2007 by-law in order to recover growth related capital costs. Development Charge By-law No. DC-0006-2006-090, an area-specific Development Charge, was enacted by Regional Council on September 21, 2006 to recover growth-related capital expenditures for sanitary sewage servicing in Nobleton. Development Charge By-law No. DC-0004-2001-097 was enacted by Regional Council on November 8, 2001 to recover York Region's share of growth-related capital expenditures related to GO Transit services. The By-laws enforce development charges for both urban services (which are imposed only within the water and sewer servicing areas) and for Region-wide servicing as follows:

<u>Urban Services</u>

- Water
- Sewer*

*Note: The Nobleton Community has a separate rate for the sewer component

<u>Region-wide Services</u>

- Roads
- Regional Transit
- Police
- Emergency Medical Services (Ambulance)
- Capital Growth Studies
- Long Term Care
- Public Works
- Public Health

The existing Development Charges by service are provided in Schedule 2-1. (Note: York Region is phasing in a development charge rate increase over the term of the existing by-law.

Final Phase-in of residential rates is effective January 10, 2011. The next phase-in of non-residential rates are effective June 18, 2011.) As noted, the total charge for a fully-serviced single detached unit is $30,950. Of this total, $11,582 relates to the region-wide sanitary sewer charge for all areas except for Nobleton. Within Nobleton (only), the sewer works rate is $8,183. Similarly there are charges for non-residential development ranging from $11.58 - $22.87 per square foot of gross floor area of building space. Of these amounts, $4.60 - $5.20 relate to the sanitary sewer service charge for all areas except for Nobleton. Within Nobleton (only), the sewer works rate is $5.58 for all non-residential development.

Schedule 2-1
The Regional Municipality of York - Schedule of Residential Development Charges
Effective January 10, 2011 to June 17, 2011

Service	Single and Semi-Detached	Multiple Unit Dwelling	Apartments - 2 Bedrooms or more	Apartments - Less than 2 Bedrooms
Water	$7,335	$6,078	$4,583	$2,956
Sewer *	$11,582	$9,598	$7,236	$4,667
Roads	$9,216	$7,637	$5,758	$3,713
Subtotal	$28,133	$23,313	$17,577	$11,336
Transit	$441	$352	$260	$179
Subway	$1,367	$1,133	$854	$550
General Services	$704	$565	$416	$283
GO Transit	$305	$240	$177	$111
Total	$30,950	$25,603	$19,284	$12,459
Nobleton Sewer*	$8,183	$7,335	$5,134	$3,535

*Note: The Nobleton Community has a separate rate for the sewer component

Schedule of Non-Residential Development Charges
Effective June 25, 2010 to June 17, 2011

Service	Per Square Foot of Gross Floor Area		Per Square Metre of Gross Floor Area	
	Industrial / Office / Institutional	Retail	Industrial / Office / Institutional	Retail
Water	$2.47	$2.61	$26.59	$28.09
Sewer *	$4.60	$5.20	$49.32	$55.97
Roads	$3.44	$11.93	$37.03	$128.42
Subtotal	$10.51	$19.74	$112.94	$212.48
Transit	$0.20	$0.66	$2.15	$7.10
Subway	$0.62	$2.11	$6.67	$22.71
General Services	$0.25	$0.36	$2.70	$3.88
Total	$11.58	$22.87	$124.46	$246.17
Nobleton Sewer*	$5.58	$5.58	$60.06	$60.06

*Note: The Nobleton Community has a separate rate for the sewer component

A summary of the Region's existing Nobleton sewer works Development Charge by-law policies are provided below:

1. Payment in any Particular Case

In accordance with the *Development Charges Act, 1997*, s.2(2), a Development Charge is to be calculated, payable and collected where the development requires one or more of the following:

a) the passing of a zoning by-law or of an amendment to a zoning by-law under section 34 of the *Planning Act*;
b) the approval of a minor variance under Section 45 of the *Planning Act*;
c) a conveyance of land to which a by-law passed under section 50(7) of the *Planning Act* applies;
d) the approval of a plan of subdivision under Section 51 of the *Planning Act*;
e) a consent under Section 53 of the *Planning Act*;
f) the approval of a description under section 50 of the *Condominium Act*; or
g) the issuing of a building permit under the Building Code Act, 1992 in relation to a building or structure.

2. Determination of the Amount of the Charge

Costs allocated to residential uses will be assigned to different types of residential units based on the average occupancy for each housing type constructed during the previous decade. Costs allocated to non-residential uses will be assigned based on the amount of Gross Floor Area (GFA) constructed for eligible uses (i.e. industrial, office, retail and institutional).

3. Application to Redevelopment of Land (Demolition and Conversion)

If a development involves the demolition of and replacement of a building or structure on the same site, or the conversion from one principal use to another, the developer shall be allowed a credit equivalent to:

1) the number of dwelling units demolished/converted multiplied by the applicable residential Development Charge in place at the time the Development Charge is payable, and/or

2) the GFA of the building demolished/converted multiplied by the current non-residential Development Charge in place at the time the Development Charge is payable or the calculated rate within the Development Charges Background Study, whichever is greater.

The demolition credit is allowed only if the land was improved by occupied structures, and if the demolition permit related to the site was issued, less than 48 months prior to the issuance of a building permit. The credit can, in no case, exceed the amount of Development Charges that would otherwise be payable.

4. Exemptions (full or partial)

a) Statutory exemptions

- industrial building additions of up to and including 50% of the existing GFA (defined in O.Reg. 82/98, s.1) of the building; for industrial building additions which exceed 50% of the existing GFA, only the portion of the addition in excess of 50% is subject to Development Charges (s.4(3));
- buildings or structures owned by and used for the purposes of any local municipality, local board, Region or Board of Education (s.3);
- residential development that results in only the enlargement of an existing dwelling unit, or that results only in the creation of up to two additional dwelling units (based on prescribed limits set out in s.2 of O.Reg. 82/98).

b) Non-statutory exemptions

- the relocation of a heritage house;
- a building or structure used for a community use owned by a non-profit corporation;
- land owned by and used for the purposes of a private school that is exempt from taxation under the *Assessment Act*;

- lands, buildings or structures used or to be used for the purposes of a cemetery or burial ground exempt from taxation under the *Assessment Act*;
- non-residential uses permitted pursuant to section 39 of the *Planning Act*;
- the issuance of a building permit not resulting in the creation of additional non-residential gross floor area;
- agricultural uses.
- Development creating or adding an accessory use or structure not exceeding 100 square metres of gross floor area;
- A public hospital receiving aid under the *Public Hospitals Act.*
- a place of worship to a maximum of 5,000 square feet (or 464.5 square metres) or in respect of that portion of the gross floor area of a place of worship which is used as an area for worship, whichever is greater.

5. Timing of Collection

Development charges for all services are to be collected at the time of issuance of the a building permit, subject to early or late payment agreements entered into by the Region and an owner under s.27 of the DCA, 1997. For residential development which proceeds under section 51 of the *Planning Act*, the water, sewer and roads component of the charge will be payable at the time of subdivision agreement signing.

6. Indexing

Indexing of the Development Charges shall be implemented on a mandatory basis annually on the anniversary date of by-law passage, in accordance with the Statistics Canada Quarterly, Construction Price Statistics for the most recent year over year period.

7. The Applicable Areas

The charges developed herein provide for varying charges within the Region, as follows:

- Water and wastewater charges will be imposed within the urban serviced areas of the Region.

- Remaining Services – the residential and non-residential charges will be imposed on all lands within the Region.

Since the adoption of an area-specific charge for sewer works for Nobleton, the Region-wide wastewater charge is not imposed for Nobleton for wastewater service.

3. ANTICIPATED DEVELOPMENT

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3.1 Description of the Area

Map 3-1 illustrates the location of urban service boundary within the Community of Nobleton, hereafter referred to as the Nobleton Urban Area. For the purposes of the Development Charge, an assessment of the amount of existing residential and non-residential development within this area, as well as potential population and employment growth was considered.

3.2 Anticipated Development in Nobleton

Table 3-1 provides a summary of the anticipated residential and non-residential development for the Nobleton Urban Area. A more detailed description of the growth forecast and background assumptions used is set out in Sections 3.2.1 and 3.2.2.

3.2.1 Residential Development

Tables 3-2a and 3-2b summarize existing households and population as of Mid 2006 and Mid 2011 for the Nobleton Urban Area based on 2001 Census data, plus recent development activity during the 2001 to 2010 period. Total 2011 households are estimated at 1,092, which generates a population of 3,293.

Table 3-3 presents a summary of the residential housing supply for the Nobleton Urban Area, as obtained from the Township of King Planning Department, as of April, 2011. Based on this information the total residential housing supply for the area is approximately 1,005 residential units, consisting of 96% low density dwellings (i.e. single and semi-detached) and 4% medium-density units (i.e. Townhomes). (Note: minor infill will occur in addition to the supply identified in Table 3-3).

The specific phasing of residential growth is identified in Table 3-4. The original community plan provided for approximately 1,200 new or growth units in the Nobleton area, however, 91 units have been built prior to December 31, 2010. In accordance with available housing supply, plus a provision for minor infill opportunities within the Nobleton Urban Area, a total of 1,109 units are anticipated over the forecast period from mid 2011 to 2021 (build out). With respect to forecast housing by unit type, it is anticipated that 90% of all residential growth will be in the form of low-density units, while the remaining 10% of development will be split evenly between medium and high-density units. The forecast housing mix, provided herein, is consistent with the goals of the 1997 Nobleton Community Plan.

Table 3-5 provides a detailed analysis of existing housing occupancy data developed for the Nobleton Urban Area using custom Statistics Canada housing occupancy data by dwelling age and structure type. This information was developed at the Census Tract level, specific to the Nobleton Community. Identified rural households were removed from the Census Tract to calculate specific housing occupancies by dwelling structure type for the Nobleton Urban Area. Based on this analysis, persons per unit (PPU) were identified for housing units aged 1-20 years, as follows:

		Unit Mix	Weighted PPU
Low Density	3.38	90%	3.05
Medium Density	3.03	5%	.15
High Density	1.90	5%	.10
Total Weighted PPU			3.29

Table 3-6 summarizes the historical population and housing increase for the Nobleton Urban Area over the 2006 to 2011 period. Table 3-7 summarizes the forecast housing and population increase for the Nobleton Urban Area over the mid 2011 and 2021 (build out) planning horizon. Applying a weighted housing occupancy assumption of 3.29 persons per dwelling unit, the anticipated net population growth (including existing population decline) for the area is approximately 3,207 persons from mid 2011 to mid 2021. This provides a total 2021 population (build out) for the Nobleton Urban area of 6,500.

3.2.2 Non-Residential Development

Table 3-8 presents a summary of total non-residential land supply for the Nobleton Urban Area, as obtained from the Township of King Planning Department, as of early 2006 and reconfirmed as of April, 2011. Based on this information the total employment supply (i.e. build out capacity) for the area is approximately 34 net acres of industrial land and 7 net acres of commercial lands. Based on an employment density of 11 employees/net acre for industrial lands and 38 employees/net acres for commercial lands, this yields a total of 368 industrial and 304 commercial employees. Growth in institutional employment was calculated at 168 employees, based on a constant institutional employment activity rate from 2006 to 2021.

Table 3-9 summarizes existing (2011) employment and forecast employment growth for the Nobleton Urban Area in accordance with the identified supply of non-residential lands. As of mid 2011, existing employment within the Nobleton Area was estimated as follows:

Primary	0
Work at Home	187
Industrial	127
Commercial/Population-Related	283
Institutional	164
Total [1]	761

Over the mid 2011 to 2021 (build out) forecast period employment within the Nobleton Urban area is forecast to increase by 1,043 employees. Based on an existing (mid 2011) employment estimate of 761, this provides a total employment forecast of 1,804 at buildout. Total GFA requirements were generated based on the following sq. ft. per employee density assumptions:

- Industrial - 1,000 sq. ft./employee
- Commercial - 400 sq. ft./employee
- Institutional[2] - 700 sq. ft./employee

Based on the above employment density assumptions total non-residential GFA is anticipated to increase for the Nobleton Urban Area by 607,200 sq. ft., of which 61% would be comprised of industrial development.

[1] As estimated by the Region of York Dept. of Planning and Development Services, 2006.
[2] Average number of sq.ft. per employee for institutional sector has been increased from 400 sq.ft./employee to 700 sq.ft. per employee based on a review of recent institutional development activity across the Greater Toronto Area (GTA).

MAP 3-1

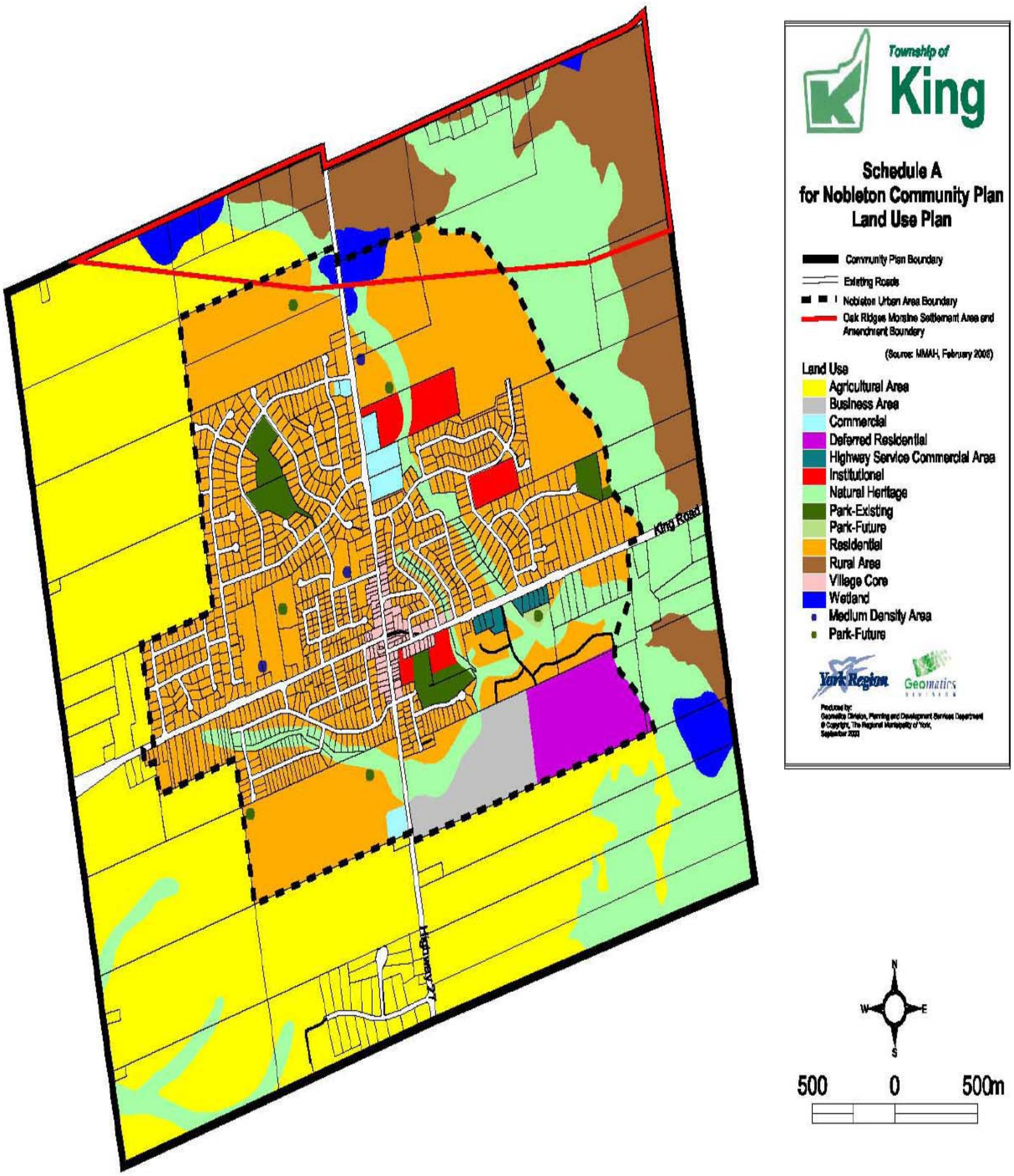

Township of
King
Schedule A
for Nobleton Community Plan
Land Use Plan
Community Plan Boundary
Existing Roads
Nobleton Urban Area Boundary
Oak Ridges Moraine Settlement Area and Amendment Boundary
(Source: MMAH, February 2003)
Land Use
Agricultural Area
Business Area
Commercial
Deferred Residential
Highway Service Commercial Area
Institutional
Natural Heritage
Park-Existing
Park-Future
Residential
Rural Area
Village Core
Wetland
Medium Density Area
Park-Future
York Region
Geomatics
Produced by:
King Road
Highway 27
N
W
E
S
500
0
500m

TABLE 3-1
NOBLETON URBAN AREA
POPULATION AND EMPLOYMENT SUMMARY

Year	Population	Employment	GFA (sq. ft.)
Mid 2001	3,060	590	
Mid 2006	3,075	742	350,100
Mid 2011	3,293	761	355,000
Mid 2021	6,500	1,804	962,200
Mid 2006-Mid 2021	**3,425**	**1,062**	**612,100**
Exempt Development Area			4,900
GFA Growth Square Feet			**607,200**

Sources:

2001 & 2006 Population and Employment: Statistics Canada Census.

2006 Employment: Region of York Planning Department, April, 2006.

2006 to 2021: Watson & Associates Economists Ltd.

TABLE 3-2a
NOBLETON URBAN AREA
2006 HOUSEHOLDS AND POPULATION SUMMARY

Year	Units	Population
2001 Total[1]	1,081	3,405
Less Existing Rural	112	345
2001 Urban Nobleton	969	3,060
Plus 2001-2006 New Development [2]	32	105
Less Population Decline in Existing Units 2001-2006	-	(90)
Total Mid 2006 Urban Nobleton	**1,001**	**3,075**

1. 2001 Census. Includes 26 Seniors Dwelling Units
2. Assumes a six month lag between building permit issuance and housing occupancy.

TABLE 3-2b
NOBLETON URBAN AREA
2011 HOUSEHOLDS AND POPULATION SUMMARY

Year	Units	Population
2006 Total[1]	1,001	3,075
Plus 2006-2010 New Development (Building Pemits)	91	308
Less Population Decline in Existing Units 2001-2006	-	(90)
Total Mid 2011 Urban Nobleton	**1,092**	**3,293**

1. 2001 Census. Includes 26 Seniors Dwelling Units
2. Assumes a six month lag between building permit issuance and housing occupancy.

TABLE 3-3
COMMUNITY OF NOBLETON HOUSING SUPPLY

Low-Density Housing Supply	
Development by Lot Type	Number of Units
Hamley's	
78 ft.	18
63 ft.	92
56 ft.	218
50 ft.	274
21.8 ft. (Semi-Detached	24
Common Element Units (Single-Detached)	34
Total	660
Percentage of Total Supply	66%
Baldessa	
Lot Type	
78 ft.	14
68 ft	54
59 ft	90
49 ft.	36
29 ft (Semi-Detached)	26
Total	220
Percentage of Total Supply	22%
Fandor	
Lot Type	
78 ft.	86
Percentage of Total Supply	9%
Total Low-Density	966
Medium-Density Housing Supply	
Hamley's	
Cluster Housing (Townshouse Units)	38
Bakery Expansion (1 Apt.)	1
Total Housing Supply	1,005
Low Density	96%
Medium-Density	4%
High-Density	0%

Source: Township of King, Planning Dept. April, 2011.

TABLE 3-4
NOBLETON URBAN AREA
DEVOPMENT PHASING

Year	2005-2006	2006-2007	2007-2008	2008-2009	2009-2010	2010-2011	2011-2012	2012-2013	2013-2014	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	2019-2020	2020-2021	Total
Total Housing Units [1]					1	90	150	150	150	150	150	100	100	100	59		1,200

1. Housing unit mix assumed as follows:

Low-density	90%
Medium-density	5%
High-Density	5%

TABLE 3-5
NOBLETON URBAN AREA
URBAN RESIDENTIAL OCCUPANCY DATA BY DWELLING TYPE AND AGE (MID 2005)

Persons Per Unit

Age of	LOW DENSITY - Single and Semi-Detached					
	Mid 2011			3,293		
Dwelling	< 1 BR	1 BR	2 BR	3/4 BR	5+ BR	Total
1-5				3.26		3.39
6-10				4.03		4.03
11-15				3.41		3.48
16-20				3.20		3.22
20-30				3.25		3.24
30+			2.41	2.83		2.87
Total			2.25	3.19	6.49	3.21

Age of	MEDIUM DENSITY - Rows and Apartment in Duplex					
Dwelling	< 1 BR	1 BR	2 BR	3/4 BR	5+ BR	Total
1-5	-	-	-	-	-	-
6-10	-	-	-	-	-	-
11-15	-	-	-	-	-	-
16-20	-	-	-	-	-	-
20-30	-	-	-	-	-	-
30+	-	-	-	-	-	-
Total	-	-	-	-	-	-

Age of	HIGH DENSITY - Apartments <> 5 Storeys					
Dwelling	< 1 BR	1 BR	2 BR	3/4 BR	5+ BR	Total
1-5	-	-	-	-	-	-
6-10	-	-	-	-	-	-
11-15	-	-	-	-	-	-
16-20	-	-	-	-	-	-
20-30	-	-	-	-	-	-
30+	-	-	-	-	-	-
Total	-	-	-	-	-	-

Age of	ALL DENSITY TYPES					
Dwelling	< 1 BR	1 BR	2 BR	3/4 BR	5+ BR	Total
1-5				3.26		3.39
6-10				4.03		4.03
11-15				3.41		3.48
16-20				3.20		2.61
20-30				3.25		2.93
30+				2.83		2.82
Total			2.13	3.19	6.49	3.08

Note: Does not include data classified as by Statistics Canada as 'Other'
PPU Not calculated for samples less than or equal to 50 dwelling units

TABLE 3-6
NOBLETON URBAN AREA
CURRENT YEAR GROWTH FORECAST
MID 2006 TO MID 2011

			POPULATION
Mid 2001 Urban Population (1)			3,060
Urban Population to Mid 2006 (2)			3,075
Occupants of New Urban Housing Units Mid 2006 to Mid 2011	*Units (3)*	91	
	multiplied by persons per unit (4)	3.38	
	gross population increase	308	308
Decline in Urban Housing Unit Occupancy, Mid 2006 to Mid 2011	*Units (5)*	1,001	
	multiplied by ppu decline rate (6)	-0.0899	
	total decline in population	-90	-90
Urban Population Estimate to Mid 2011			3,293
Net Urban Population Increase, Mid 2001 to Mid 2011			*218*

(1) Based on 2001 Census
(2) Mid 2006 population based upon:
2001 Population (3,060) + (32 building permits from 2001 to 2005 x 3.29 = 105) + (-0.0929 ppu X 969 units) = 3,075
(3) Based upon forecast building permits, assuming a six month lag between construction and occupancy
(4) Average number of persons per unit (ppu) is assumed to be:

Structural Type	Persons Per Unit[1]	% Distribution of Estimated Units[2]	Weighted Persons Per Unit Average
Singles & Semi Detached	3.38	100%	3.38
Multiples (7)	3.03	0%	0.00
Apartments (8)	1.90	0%	0.00
Total		100%	3.38

[1] Based on 2006 Census custom database
[2] Based on Building permit/completion acitivty
(5) Mid 2006 urban serviced households based upon: 969 units (2001 Census less rural housing units) + 32 building permits within urban boundary from 2001 to 2005.
(6) Decline occurs due to aging of the population and family life cycle changes, lower fertility rates and changing economic conditions.

TABLE 3-7
NOBLETON URBAN AREA
CURRENT YEAR GROWTH FORECAST
MID 2011 TO MID 2021

			POPULATION
Mid 2006 Urban Population (1)			3,075
Urban Population to Mid 2011 (2)			3,293
Occupants of New Urban Housing Units Mid 2011 to Mid 2021	*Units (3)*	1,109	
	multiplied by persons per unit (4)	3.29	
	gross population increase	3,650	3,650
Decline in Urban Housing Unit Occupancy, Mid 2011 to Mid 2021	*Units (5)*	1,092	
	multiplied by ppu decline rate (6)	-0.4057	
	total decline in population	-443	-443
Urban Population Estimate to Mid 2021			6,500
Net Urban Population Increase, Mid 2001 to Mid 2021			*3,207*

(1) 2001 Population (3,060) + (32 building permits from 2001 to 2005 x 3.29 = 105) + (-0.0929 ppu X 969 units) = 3,075

(2) Mid 2011 population based upon:
2006 Population (3,075) + (91 building permits from 2006 to 2010 x 3.38 = 308) + (-0.0899 ppu X 1,001 units) = 3,293

(3) Based upon forecast building permits, assuming a six month lag between construction and occupancy

(4) Average number of persons per unit (ppu) is assumed to be:

Structural Type	Persons Per Unit[1]	% Distribution of Estimated Units[2]	Weighted Persons Per Unit Average
Singles & Semi Detached	3.38	90%	3.05
Multiples (7)	3.03	5%	0.15
Apartments (8)	1.90	5%	0.10
Total		100%	3.29

[1] Based on 2006 Census custom database
[2] Based on Building permit/completion acitivty

(5) Mid 2011 urban serviced households based upon: 1,001 units (2006 housing units + 91 building permits within urban boundary from 2006 to 2010).

(6) Decline occurs due to aging of the population and family life cycle changes, lower fertility rates and changing economic conditions.

TABLE 3-8

NOBLETON URBAN AREA INDUSTRIAL AND COMMERCIAL EMPLOYMENT LAND CAPACITY

Industrial Land Area Capacity	Gross Acres	Net Acres 75% of Gross	Land Vacancy (15%)	Net Acres Adjusted for Land Vacancy	Emp. Density (Emp/Net Acre)	Emp. Equivalent
Industrial	53.0	39.8	6.0	33.8	11	368
Annual Absorption (Net Acres)				2.3		

Commercial Land Area Capacity	Gross Acres	Net Acres 85% of Gross	Land Vacancy (5%)	Net Acres Adjusted for Land Vacancy	Emp. Density (Emp/Net Acre)	Emp. Equivalent
Village Core Commercial	8.5	7.2	0.4	6.9	38	262
Commercial Core and Highway Service Commercial Expansion 15% of Existing Comm. Employees (287 emp.)					38	42
Total Commercial						304

Source: Township of King Planning Dept.; Watson and Associates Economists Ltd. April, 2011.

TABLE 3-9
TOWNSHIP OF KING
EMPLOYMENT FORECAST FOR THE NOBLETON URBAN AREA
MID 2011 TO MID 2021

Year/Forecast Period	Pop'n	Activity Rate						Employment						Square Feet (ESTIMATED) [1]			
		Primary	Work at Home	Ind.	Comm./ Pop'n Related	Inst.	Total	Primary	Work at Home	Ind.	Comm./ Pop'n Related	Inst.	Total	Ind.	Comm.	Inst.	Total
Mid 2001	3,060	0.000	0.052	0.030	0.080	0.032	0.193	0.0	158.0	91.0	244.0	97.0	590.0				
Mid 2006	3,075	0.000	0.057	0.041	0.092	0.051	0.241	0.0	175.0	127.0	283.0	157.0	742.0	127,000.00	113,200.00	109,900.00	350,100.00
Mid 2011	3,293	0.000	0.057	0.039	0.086	0.050	0.231	0.0	187.0	127.0	283.0	164.0	761.0	127,000.00	113,200.00	114,800.00	355,000.00
Mid 2021 (Build out) [2]	6,500	0.000	0.060	0.076	0.090	0.051	0.278	0.0	390.0	495.0	587.0	332.0	1,804.0	495,000.00	234,800.00	232,400.00	962,200.00
Incremental Change																	
Mid 2001 - Mid 2006	15	0.000	0.005	0.012	0.012	0.019	0.048	0.0	17.0	36.0	39.0	60.0	152.0				
Mid 2006 - Mid 2011	218	0.000	0.000	-0.003	-0.006	-0.001	-0.010	0.0	12.0	0.0	0.0	7.0	19.0	0.00	0.00	4,900.00	4,900.00
Mid 2011 - Mid 2021	3,207	0.000	0.003	0.038	0.004	0.001	0.046	0.0	203.0	368.0	304.0	168.0	1,043.0	368,000.00	121,600.00	117,600.00	607,200.00
Annual Average																	
Mid 2001 - Mid 2006	3	0.0000	0.0011	0.0023	0.0025	0.0039	0.0097	0.0	3.4	7.2	7.8	12.0	30.4				
Mid 2006 - Mid 2011	44	0.0000	0.0000	-0.0005	-0.0012	-0.0003	-0.0020	0.0	2.4	0.0	0.0	1.4	3.8	0.00	0.00	980.00	980.00
Mid 2011 - Mid 2021	321	0.0000	0.0003	0.0038	0.0004	0.0001	0.0046	0.0	20.3	36.8	30.4	16.8	104.3	36,800.00	12,160.00	11,760.00	60,720.00

Source: Watson and Associates Economists Ltd. April, 2011.

[1] Square Foot Per Employee Assumptions
Industrial 1000
Commercial / Pop'n Related 400
Institutional 700

2. Note: Timing of non-residential build out may extend beyond 2021.

Note:
Ind. = Industrial
Comm. = Commercial
Inst. = Institutional

4. NEW DEVELOPMENT-RELATED SERVICING REQUIREMENTS

4. NEW DEVELOPMENT-RELATED SERVICING REQUIREMENTS

As noted in Chapter 1, a Class Environmental Assessment was undertaken in 2002 by Totten Sims Hubicki on behalf of the Region for the Sanitary Sewage Servicing of the Nobleton Community. The recommendations arising from that process was for wastewater treatment facilities to be built with a treated effluent outlet pipe discharging into the Humber River (Main Branch).

As the jurisdiction for the provision of wastewater services is split between the Region and local municipalities, the treatment-related costs are considered herein. The Township's costs related to the collection system will be considered within a Township-lead process.

Table 4-1 provides for the costing associated with the treatment facility, the forcemain and pumping station, and costs for associated easements, road reinstatement works, etc. Some of these works are being undertaken within the Township and as such, only the Regional portion is provided in this table. For comparison purposes, the estimated costs as per the 2006 development charge study are presented with the final costs.

A summary of the Region's related capital cost is provided below. In total, the cost estimate (as of April 20, 2011) is $23.1 million.

Nobleton Sewage Works
Summary of Regional Costs

Component	Cost
Forcemain & Trunk Sewer	$3,365,109
Sewage Pumping Station	2,500,000
Water Pollution Control Plant	13,514,628
Outfall & Wet Land	900,000
Engineering and Project Management	2,823,317
Total for Area Specific Development Charge	$23,103,054

Table 4-1
Nobleton Sewage Works
Project Cost Allocation

Item		Description	2006 Portion of Regional Cost	2011 Final Cost Estimates	
1		Forcemain & Sewer King Road - From SPS Easement To End of Gravity Sewer			
i		Road Widening King Rd (1600 m of 2.0 m temporary shoulder (3,200 m of 75 mm HL8 @ $233/m^3$)	$30,800	$0	
ii		Sewer and Forcemain (includes Granular B and Granular A Backfill SPS to Sta 4+300 (1355 m)	$600,600	$608,099	just FM
iii		Sewer and Forcemain (includes Granular B and Granular A Backfill Sta 4+300 to Nobelview Dr (495 m)	$550,000	$530,000	just sewer
iv		Road Restoration (1,850 linear meters at HL3 $209/m and HL8 $199/m - Total $408/m based on 9.5 m road width, 90 mm HL8 and 50 mm HL3 with HL 8 Costs of $223/m^3$ and HL 3 costs of $441/m^3$	$207,625	- incl w/utility	
v		Traffic Control		- incl w/utility	
	a	Flag persons for 52 working days at 12 hr/day and $50/hr per. crew of two	$8,525	- incl w/utility	
	b	Sign trucks (2 trucks for 2 months at $5,000/month)	$5,500	- incl w/utility	
	c	Cones delineators, etc.	$1,375	- incl w/utility	
	d	Traffic Management Plan	$2,750	- incl w/utility	
			$1,407,000	$1,138,099	
2		Forcemain - Nobelview Dr to WPCP			
i		3,300 m at $300/m			
ii		Manholes			
			$1,127,500	$1,481,810	
3		Easement From King Rd to SPS		$59,200	land
i		Forcemain (182 m at $300/m)		$116,000	
ii		Sewer (182 m at $500/m)		$570,000	
			$60,060	$745,200	
4		Outfall			
i		Easement (835 m at $500/m)			
ii		11th Concession and TRCA lands (700 m at $500/m)			
			$844,000	$700,000	
5		Wetland			
i		Headwall			
ii		Outfall spillway			
iii		Wetland			
			$137,500	$200,000	
6		Sewage Pumping Station	$2,200,000	$2,500,000	
7		Water Pollution Control Plant			
i		Plant		$12,436,000	
ii		Land Cost		$400,000	
iii		Sewage Haulage		$475,000	
iv		Phosphorus Offsets		$203,628	
			$13,354,000	$13,514,628	
		ENG & PM		**$2,823,317**	
		Total - Capital Items	**$19,130,060**	**$23,103,054**	

Note: The Region constructed a "Regional Hub Administrative Centre" in conjunction with the Treatment Plant facility that was included in the construction tender. The cost of the Hub Centre will not be recovered as part of the Nobleton Area Specific Development Charge.

5. THE CALCULATION OF THE DEVELOPMENT CHARGE

5. THE CALCULATION OF THE DEVELOPMENT CHARGE

As provided in the previous chapter, the total of the Region's costs related specifically to servicing Nobleton total $23,103,054. Construction of these services will benefit both the existing population and employment within the service area, as well as future growth in these sectors.

The basis for calculating the Nobleton Development Charge in 2006 was based upon a capacity calculation, using engineering estimates. Totten, Sims, Hubicki, who undertook the EA study in 2002, reviewed the original growth forecast (which is similar to that provided in Chapter 3) and provided a basis for allocating costs between future residential/employment growth vs. non-growth population/employment. The basis for this allocation was to assess the non-residential employment capacity needs for the system and to provide these requirements on a population equivalent basis. The non-growth and growth development represented on a population equivalent basis is presented below:

Population and Land Use

Item	Population Equivalent
Non-Growth	
Residential Lots	1,001
Residential Population	3,085
Non-Residential Population Equivalent	311
Total Non-Growth Population Equivalents	3,396
Growth	
Residential Lots	1,200
Residential Population	3,445
Non-Residential Population Equivalent	1,127
Total Growth Population Equivalents	4,572
Total	
Residential Lots	2,201
Residential Population	6,530
Non-Residential Population Equivalent	1,438
Total Population Equivalents	7,968

Based on the most recent costing information, the growth component of the Nobleton sewage system is identified as 58.38% which provides a DC recovery of $13,486,563 and a non-growth share of $9,616,492. Allocating the growth share between residential and non-residential based on the population and the non-residential population equivalent for anticipated growth, the allocation of the growth cost is provided below:

Growth Related Cost Distribution

	Residential	Non-residential	Total	%
Growth	$10,163,106	$3,323,457	$13,486,563	58.38%

Subsequent to the signing of the agreement, the landowner has registered a total of 698 units (660 single and 38 multiples) and, because the by-law provides for payment at the time of subdivision registration, has prepaid the development charges on these units. To date, based on payments made the following outstanding amounts are payable by the developer.

Details	Residential	Non-residential	Total
Agreement Credit Amount	10,163,106	3,323,457	$13,486,563
Less DC Payments made to date	($5,695,488)		($5,695,488)
Net recoverable for Growth Development	$4,467,618	$3,323,457	$7,791,075

Based upon the net recoverable for future development amount, the future development charges are provided in Table 5-1.

Table 5-1 calculates the proposed uniform Development Charges to be imposed for the Nobleton urban area. The calculation for residential development is generated on a per capita basis, and is based upon four forms of housing types (Single and Semi-detached, Apartments 2+ bedrooms, Apartments bachelor and 1 bedroom, and all Other Multiples). The non-residential Development Charge has been calculated on a per sq. ft. of GFA basis for all types of non-residential development (industrial, commercial and institutional).

The Development Charge eligible costs for each service component were provided above after the adjustments for payment of units and indexing adjustments. For the residential calculations, the total cost is divided by the "gross" (new resident) population to determine the per capita amount. Note that for these calculations, the "gross" population relates to those units which have not paid the development charge. Table 5-2 provides for this calculation. The cost per capita is then multiplied by the average occupancy of the new units (Chapter 3; Table 3-7) to calculate the charge in Table 5-1.

Table 5-1
REGION OF YORK
DEVELOPMENT CHARGE CALCULATION
NOBLETON AREA SPECIFIC
2011 – 2021

SERVICE		Growth Related Costs	
		Residential $	Non-residential $
Sewer Works		$4,467,618	$3,323,457
DC ELIGIBLE CAPITAL COST		$4,467,618	$3,323,457
2011 - 2021 Gross Population¹ / GFA Growth (sq.ft.)		1,600	607,200
Cost Per Capita / Non-Residential GFA (sq.ft.)		$2,792.26	$5.47
By Residential Unit Type	p.p.u		
Single and Semi-Detached	3.38	$9,438	
Apartments - 2 Bedrooms or more	2.12	$5,920	
Apartments - Less than 2 Bedrooms	1.46	$4,077	
Multiple Unit Dwelling	3.03	$8,461	

Residential Units which have not paid a development charge at time of writing

With respect to non-residential development, the total costs allocated to non-residential development have been divided by the anticipated development over the planning period to calculate a cost per sq. ft. of GFA.

Table 5-2
Calculation of Gross Population for Residential Units
Which Have Not Paid the
Nobleton Sewer Works Development Charge

Unit Type	Full Nobleton Growth As Per 2006 Study			Population Within Paid Units			Unpaid Growth Units		
	# of Units	PPU	Gross Population	Prepaid Units	PPU	Gross Population	Residual Units	PPU	Gross Population
Singles/Semi's	1,080	3.38	3,650	660	3.38	2,231	420	3.38	1,420
Multiples	60	3.03	182	38	3.03	115	22	3.03	67
Apartments	60	1.90	114	-	1.90	-	60	1.90	114
Total	1,200		3,946	698		2,346	502		1,600

6. BY-LAW POLICY CONSIDERATIONS

6. BY-LAW POLICY CONSIDERATIONS

The Nobleton area-specific by-law Development Charge policies are provided within By-law DC-0006-2006-090. Generally, the policies are summarized as follows and are recommended to be continued:

- the residential Development Charge is payable at the time of subdivision agreement signing or at the time of building permit issuance, whichever is earlier;
- non-residential development pay for the Development Charge at the time of building permit issuance;
- Development Charge credits are payable on space demolished and replaced within 48 months;
- the area-specific Development Charge funds be maintained in a separate reserve fund;
- the by-law come into force upon passage;
- indexing of the charge is to occur annually, without amendment to the by-law, commencing on the first anniversary date and each anniversary date after, in accordance with the Statistics Canada Quarterly Construction Price Statistics;
- different charges are to apply to:
  - Single and Semi-Detached units
  - Apartments – 2 or more bedroom
  - Apartments – less than 2 bedrooms
  - Multiple Unit Dwelling units
  - Non-residential development per square foot of gross floor area.

It is recognized that the construction of the Regional services has been funded via an up-front financing agreement. On that basis, the developer expects a recovery from all development within the service area, and as such, the full rate is being recommended for implementation.

6. BY-LAW APPROVAL PROCESS

7. BY-LAW APPROVAL PROCESS

Figure 7-1 sets out the key anticipated dates in the proposed amendment process for the Region's Nobleton area-specific Development Charge by-law.

FIGURE 7-1
SCHEDULE OF DATES FOR THE REGION
AREA-SPECIFIC DC BY-LAW PROCESS

1. Draft study presented to Finance & Administration Committee	Thursday, May 5, 2011
2. Public Meeting Ad placed in newspaper(s)	Thursday, May 19, 2011
3. Background study and proposed by-law available to public	Thursday, May 26, 2011
4. Public meeting of Finance & Administration Committee	Thursday, June 09, 2011
5. Council considers adoption of background study and passage of by-law. (Council also considers public input and if by-law is to be changed, formally determines whether a further public meeting is necessary.)	Thursday, June 23, 2011
6. Newspaper notice given of by-law passage	By 20 days after passage
7. Last day for by-law appeal	40 days after passage
8. Region makes available pamphlet (where by-law not appealed)	by 60 days after in force date

APPENDIX A
LONG TERM CAPITAL AND OPERATING COST EXAMINATION

REGION OF YORK
ANNUAL CAPITAL AND OPERATING COST IMPACT

As a requirement of the *Development Charges Act, 1997* under subsection 10(2)(c), an analysis must be undertaken to assess the long term capital and operating cost impacts for the capital infrastructure projects identified within the development charge. As part of this analysis, it was deemed necessary to isolate the incremental operating expenditures directly associated with these capital projects, factor in cost saving attributable to economies of scale or cost sharing where applicable, and prorate the cost on a per unit basis (i.e. square foot of building space, per vehicle, etc.). This was undertaken through a review of the Region's 2004 Operating Budget.

In addition to the operational impacts, over time the initial capital projects will require replacement. This replacement of capital is often referred to as life cycle cost. By definition, life cycle costs are all the costs which are incurred during the life of a physical asset, from the time its acquisition is first considered, to the time it is taken out of service for disposal or redeployment. The method selected for life cycle costing is the sinking fund method which provides that money will be contributed annually and invested, so that those funds will grow over time to equal the amount required for future replacement. The following factors were utilized to calculate the annual replacement cost of the capital projects (annual contribution = factor X capital asset cost) and are based on an annual growth rate of 2% (net of inflation) over the average useful life of the asset:

ASSET	LIFE CYCLE COST FACTORS	
	AVERAGE USEFUL LIFE (YEARS)	FACTOR
Sewer Works	80	0.00516

Table A-1 depicts the annual operating impact resulting from the proposed growth-related capital projects at the time they are all in place. It is important to note that, while municipal program expenditures will increase with growth in population, the costs associated with the new infrastructure (i.e. facilities) would be delayed until the time these works are in place.

Table A-1
REGION OF YORK
OPERATING AND CAPITAL EXPENDITURE IMPACTS
FOR FUTURE CAPITAL EXPENDITURES

Service	TOTAL GROWTH RELATED CAPITAL EXPENDITURES	ANNUAL LIFECYCLE EXPENDITURES	ANNUAL OPERATING EXPENDITURES	TOTAL ANNUAL EXPENDITURES
Sewer Works	$7,791,075	$40,200	$206,408	$246,608

APPENDIX B
DRAFT BY-LAW

THE REGIONAL MUNICIPALITY OF YORK

BY-LAW NO. DC-0011-2011-XXX

A by-law for the imposition of sewer works development charges against land in the Nobleton Community of the Township of King

WHEREAS the *Development Charges Act* (the "Act") provides that the council of a municipality may by-law impose development charges against land to pay for growth-related capital costs required because of increased needs for services;

AND WHEREAS a development charge background study has been completed in support of the imposition of development charges;

AND WHEREAS the Council of The Regional Municipality of York has given notice and held a public meeting on the 9th day of June, 2011 in accordance with the Act;

AND WHEREAS the Council of The Regional Municipality of York has determined that a further public meeting is not necessary pursuant to Section 12(3) of the Act;

NOW THEREFORE, the Council of The Regional Municipality of York hereby enacts as follows:

1. **DEFINITIONS**

1.1. In this by-law,

(a) "accessory use" means that the building or structure is naturally and normally incidental to or subordinate in purpose or both, and exclusively devoted to a principal use, building or structure;

(b) "agricultural use" means lands, buildings or structures, excluding any portion thereof used as a dwelling unit, used or designed or intended for use for the purpose of a *bona fide* farming operation including, but not limited to, animal husbandry, dairying, livestock, fallow, field crops, removal of sod, forestry, fruit farming, horticulture, market gardening, pasturage, poultry keeping, equestrian facilities and any other activities customarily carried on in the field of agriculture;

(c) “apartment” means a dwelling unit in an apartment building or a plex;

(d) “apartment building” means a residential building or the residential portion of a mixed use building, other than a townhouse or a stacked townhouse, consisting of more than 3 dwelling units, which dwelling units have a common entrance to grade;

(e) “area municipality” means a city, town or township in the Region;

(f) “banquet hall” means a building or part of a building used primarily for the purpose of catering to banquets, weddings, receptions or similar social functions for which food and beverages are served;

(g) “bedroom” means any room used, or designed or intended for use, as sleeping quarters and includes a den, study or other similar area;

(h) “community use” means a facility traditionally provided by a municipality which serves a municipal purpose and shall include a community centre, library/research facility and recreation facility;

(i) “convention centre” means a building with a gross floor area greater than 40,000 square feet which is designed and used primarily to accommodate the following:

(i.) the assembly of large gatherings of persons for trade, business or educational purposes, or any combination thereof; and/or

(ii.) the display of products or services; and

(iii.) accessory uses which may include administrative offices, display areas, show-rooms, training facilities and banquet facilities, but do not include a banquet hall;”

(j) “development” includes redevelopment;

(k) “development charges” means charges in regard to sewer works services imposed pursuant to this by-law and adjusted in accordance with section 5;

(l) "duplex" means a building comprising, by horizontal division, two dwelling units, each of which has a separate entrance to grade;

(m) "dwelling unit" means a room or suite of rooms used, or designed or intended for use by one person or persons living together, in which culinary and sanitary facilities are provided for the exclusive use of such person or persons;

(n) "gross floor area" means, in the case of a non-residential building or structure or the non-residential portion of a mixed-use building or structure, the aggregate of the areas of each floor, whether above or below grade, measured between the exterior faces of the exterior walls of the building or structure or from the centre line of a common wall separating a non-residential and a residential use, excluding, in the case of a building or structure containing an atrium, the sum of the areas of the atrium at the level of each floor surrounding the atrium above the floor level of the atrium, and excluding, in the case of a building containing parking spaces, the sum of the areas of each floor used, or designed or intended for use for the parking of motor vehicles unless the parking of motor vehicles is the principal use of the building or structure, and, for the purposes of this definition, the non-residential portion of a mixed-use building is deemed to include one-half of any area common to the residential and non-residential portions of such mixed-use building or structure;

(o) "group home" means a residential building or the residential portion of a mixed-use building containing a single housekeeping unit supervised on a 24 hour a day basis on site by agency staff on a shift rotation basis, funded wholly or in part by any government and licensed, approved or supervised by the Province of Ontario under any general or special Act, for the accommodation of not less than 3 and not more than 8 residents, exclusive of staff;

(p) "heritage property" means a building or structure which, in the opinion of the local architectural conservation advisory committee, is of historic or architectural value or interest, or which has been so designated under the Ontario Heritage Act;

(q) "industrial" means lands, buildings or structures used or designed or intended for use for manufacturing, processing, fabricating or assembly of raw goods, warehousing or bulk storage of goods, and includes office uses and the sale of commodities to the general public where such uses are accessory to an industrial use, but does not include the sale of commodities to the general public through a warehouse club;

(r) “institutional” means lands, buildings or structures used or designed or intended for use by an organized body, society or religious group for promoting a public or non-profit purpose and shall include, but without limiting the generality of the foregoing, places of worship, medical clinics and special care facilities;

(s) “industrial/office/institutional” means lands, buildings or structures used or designed or intended for use for any of an industrial use, office use or institutional use and shall include a convention centre and any other non-residential use which is not a retail use;

(t) “local board” means a local board as defined in the Act;

(u) “multiple unit dwellings” includes townhouses, stacked townhouses, mobile homes, group homes and all other residential uses that are not included in the definition of “apartment building”, “apartment”, “single detached dwelling” or “semi-detached dwelling”;

(v) “mixed-use” means lands, buildings or structures used, or designed or intended for use, for a combination of non-residential and residential uses;

(w) “mobile home” means any dwelling that is designed to be made mobile, and constructed or manufactured to provide a permanent residence for one or more persons, but does not include a travel trailer or tent trailer;

(x) “non-profit” means a corporation without share capital that has objects of a charitable nature;

(y) “non-residential use” means lands, buildings or structures or portions thereof used, or designed or intended for use for other than residential use;

(z) “office” means lands, buildings or structures used or designed or intended for use for the practice of a profession, the carrying on of a business or occupation or the conduct of a non-profit organization and shall include but not be limited to the office of a physician, lawyer, dentist, architect, engineer, accountant, real estate or insurance agency, veterinarian, surveyor, appraiser, financial institution, contractor, builder or land developer;

(aa) "place of worship" means a building or structure that is used primarily for worship;

(bb) "plex" means a duplex, a semi-detached duplex, a triplex or a semi-detached triplex;

(cc) "private school" means an educational institution operated on a non-profit basis, excluding any dormitory or residence accessory to such private school, that is used primarily for the instruction of students in courses of study approved or authorized by the Minister of Education and Training;

(dd) "Region" means The Regional Municipality of York;

(ee) "Regional Council" means the Council of The Regional Municipality of York;

(ff) "residential use" means lands, buildings or structures used, or designed or intended for use as a residence for one or more individuals, and shall include, but is not limited to, a single detached dwelling, a semi-detached dwelling, a townhouse, a stacked townhouse, a plex, an apartment building, a group home, a mobile home and a residential dwelling unit accessory to a non-residential use but shall not include a lodging house licensed by a municipality;

(gg) "retail" means lands, buildings or structures used or designed or intended for use for the sale or rental or offer for sale or rental of goods or services to the general public for consumption or use and shall include, but not be limited to, a banquet hall or a self storage building, but shall exclude offices;

(hh) "self storage building" means a building or part of a building consisting of individual storage units, which are accessible by the users, that are used to provide storage space to the public;

(ii) "semi-detached duplex" means one of a pair of attached duplexes, each duplex divided vertically from the other by a party wall;

(jj) "semi-detached dwelling" means a building divided vertically into and comprising 2 dwelling units;

(kk) "semi-detached triplex" means one of a pair of triplexes divided vertically one from the other by a party wall;

(ll) "serviced" for the purposes of sections 3.6, 3.7 and 3.8 means the particular service is connected to or available to be connected to the lands, buildings or structures, or, as a result of the development, will be connected to or will be available to be connected to the lands, buildings or structures;

(mm) "service" means the service designated in section 2.1 of this by-law;

(nn) "single detached dwelling" and "single detached" means a residential building consisting of one dwelling unit that is not attached to another structure above grade. For greater certainty, a residential building consisting of one dwelling unit that is attached to another structure by footings only shall be considered a single family dwelling for purposes of this by-law;

(oo) "special care facilities" means lands, buildings or structures used or designed or intended for use for the purpose of providing residential accommodation, supervision, nursing care or medical treatment, which do not comprise dwelling units, that are licensed, approved or supervised under any special or general Act.

(pp) "stacked townhouse" means a building, other than a plex, townhouse or apartment building, containing at least 3 dwelling units, each dwelling unit being separated from the other vertically and/or horizontally and each dwelling unit having an entrance to grade shared with no more than 3 other units;

(qq) "townhouse" means a building, other than a plex, stacked townhouse or apartment building, containing at least 3 dwelling units, each dwelling unit separated vertically from the other by a party wall and each dwelling unit having a separate entrance to grade; and

(rr) "triplex" means a building comprising 3 dwelling units, each of which has a separate entrance to grade.

2. DESIGNATION OF SERVICES

2.1. The category of service for which development charges are imposed under this by-law is sewer works.

2.2. The components of the service designated in subsection 2.1 are described on Schedule A.

3. APPLICATION OF BY-LAW - RULES

3.1. Development charges shall be payable in the amounts set out in subsections 3.6, 3.7, and 3.8.

(a) the lands are located in the area described in subsection 3.2; and

(b) the development of the lands requires any of the approvals set out in subsection 3.4(a).

<u>Area to Which By-law Applies</u>

3.2. Subject to subsection 3.3, this by-law applies to all lands within the urban boundary, shown on Schedule B.

3.3. This by-law shall not apply to lands that are owned by and used for the purposes of:

(a) the Region or a local board thereof;

(b) a board as defined in section 1(1) of the Education Act; or

(c) an area municipality or a local board thereof.

<u>Approvals for Development</u>

3.4 (a) Development charges shall be imposed on all lands, buildings or structures that are developed for residential or non-residential uses if the development requires,

(i) the passing of a zoning by-law or of an amendment to a zoning by-law under section 34 of the *Planning Act*;

(ii) the approval of a minor variance under section 45 of the *Planning Act*;

(iii) a conveyance of land to which a by-law passed under subsection 50(7) of the *Planning Act* applies;

(iv) the approval of a plan of subdivision under section 51 of the *Planning Act*;

(v) a consent under section 53 of the *Planning Act*;

(vi) the approval of a description under section 50 of the *Condominium Act*; or

(vii) the issuing of a permit under the *Building Code Act*, *1992* in relation to a building or structure.

(b) No more than one development charge for the service designated in subsection 2.1 shall be imposed upon any lands, buildings or structures to which this by-law applies even though two or more of the actions described in subsection 3.4(a) are required before the lands, buildings or structures can be developed.

(c) Despite subsection 3.4(b), if two or more of the actions described in subsection 3.4(a) occur at different times, additional development charges shall be imposed if the subsequent action has the effect of increasing the need for services.

<u>Exemptions</u>

3.5.1 Notwithstanding the provisions of this by-law, but subject to subsection 3.5.2, development charges shall not be imposed with respect to:

(a) the relocation of a heritage house;

(b) a building or structure used for a community use owned by a non-profit corporation;

(c) land owned by and used for the purposes of a private school that is exempt from taxation under the *Assessment Act*;

(d) lands, buildings or structures used or to be used for the purposes of a cemetery or burial ground exempt from taxation under the Assessment Act;

(e) non-residential uses permitted pursuant to section 39 of the *Planning Act*;

(f) the issuance of a building permit not resulting in the creation of additional non-residential gross floor area;

(g) agricultural uses;

(h) development creating or adding an accessory use or structure not exceeding 100 square metres of gross floor area; or

(i) a public hospital receiving aid under the *Public Hospitals Act*.

3.5.2 The provisions of subsection 3.5.1 shall only apply to exempt a development described in paragraph (a), (b) or (c) thereof from the payment of development charges if the Township of King does not collect development charges with respect to that type of development.

Amount of Charge

<u>Residential</u>

3.6 The development charges described in Schedule C to this by-law shall be imposed on residential uses of lands, buildings or structures, including a dwelling unit accessory to a non-residential use and, in the case of a mixed use building or structure, on the residential uses in the mixed use building or structure, and calculated according to the type of residential unit, where the lands, buildings or structures are serviced by regional sewer works services.

<u>Non-Residential</u>

Industrial/Office/Institutional Uses

3.7 The development charges described in Schedule D to this by-law shall be imposed on industrial/office/institutional uses of lands, buildings or structures, and, in the case of a mixed use building or structure, on the industrial/office/institutional uses in the mixed use industrial/office/institutional use, where the lands, buildings or structures are serviced by regional sewer works services.

Retail Uses

3.8 The development charges described in Schedule D to this by-law shall be imposed on retail uses of lands, buildings or structures, and, in the case of a mixed use building or structure, on the retail uses in the mixed use building or structure, and calculated according to the gross floor area of the retail use, where the lands, buildings or structures are serviced by regional sewer works services.

Multiple Industrial/Office/Institutional and Retail Uses

3.9 In the case of lands, buildings or structures used or designed or intended for use for both industrial/office/institutional uses and retail uses, the development charges otherwise applicable to such development under both subsections 3.7 and 3.8 shall be determined on the following basis:

(a) as between the industrial/office/institutional uses and the retail uses, the principal use of the development shall be that use which has the greater gross floor area; and

(b) the development charges under either subsection 3.7 or 3.8 applicable to such principal use as determined under paragraph (a) shall be applied to the total non-residential gross floor area of the development.

Place of Worship

3.10 Despite subsection 3.7, development charges shall not be imposed in respect of the gross floor area of a place of worship to a maximum of 5,000 square feet (or 464.5 square metres) or in respect of that portion of the gross floor area of a place of worship which is used as an area for worship, whichever is greater.

Reduction of Development Charges Where Redevelopment

3.11 Despite any other provision of this by-law, where, as a result of the redevelopment of land, a building or structure existing on the land within 48 months prior to the date of payment of development charges in regard to such redevelopment was, or is to be demolished, in whole or in part, or converted from one principal use to another, in order to facilitate the redevelopment, the development charges otherwise payable with respect to such redevelopment shall be reduced by the following amounts:

(a) in the case of a residential building or structure, or in the case of a mixed-use building or structure, the residential uses in the mixed-use building or structure, an amount calculated by multiplying the applicable development charge under subsection 3.6 of this by-law by the number, according to type, of dwelling units that have been or will be demolished or converted to another principal use; and

(b) in the case of a non-residential building or structure or, in the case of mixed-use building or structure, the non-residential uses in the mixed-use building or structure, an amount calculated by multiplying the applicable development charges under subsection 3.7, 3.8 or 3.9 of this by-law by the gross floor area that has been or will be demolished or converted to another principal use;

provided that such amounts shall not exceed, in total, the amount of the development charges otherwise payable with respect to the redevelopment.

Reduction of Development Charges Where Gross Floor Area is Increased

3.12 Despite any other provisions of this by-law, if a development includes the enlargement of the gross floor area of an industrial, office or institutional building, the amount of the development charge that is payable in respect of the enlargement shall be calculated as follows:

(a) If the gross floor area is enlarged by fifty percent or less, the amount of the development charge in respect of the enlargement is zero;

(b) If the gross floor area is enlarged by more than fifty percent the amount of the development charge in respect of the enlargement is the amount of the development charge that would otherwise be payable multiplied by the fraction determined as follows:

(i) determine the amount by which the enlargement exceeds fifty percent of the gross floor area before the enlargement; and

(ii) divide the amount determined under paragraph (i) by the amount of the enlargement.

Time of Payment of Development Charges

3.13 Development charges imposed under this section are payable on the date on which a building permit is issued with respect to each dwelling unit, building or structure.

3.14 Despite subsection 3.13, development charges imposed under subsection 3.6 with respect to an approval of a residential plan of subdivision under section 51 of the *Planning Act*, are payable immediately upon the owner entering into the subdivision agreement respecting such plan of subdivision, on the basis of the following:

(a) the proposed number and type of dwelling units in the final plan of subdivision; and

(b) with respect to blocks in the plan of subdivision intended for future development, the maximum number and type of dwelling units permitted under the zoning in effect at the time of payment.

3.15 For the purposes of paragraph (b) of subsection 3.14, where the use or uses to which a block in a plan of subdivision may be put pursuant to a zoning by-law passed under section 34 of the *Planning Act* are affected by the use of a holding symbol in the zoning by-law as authorized by section 36 of the *Planning Act*, the maximum number and type of dwelling units shall be determined by reference to the uses in the zoning by-law without regard to the holding symbol.

3.16 For the purposes of subsections 3.14 and 3.15, where a subdivision agreement identifies the number and type of dwelling units proposed for the residential plan of subdivision, the number and type of dwelling units so identified shall be used to calculate the development charges payable under subsection 3.14.

3.17 Despite subsections 3.13 and 3.14, Regional Council, from time to time, and at any time, may enter into agreements providing for all or any part of a development charge to be paid before or after it would otherwise be payable.

3.18 (a) If, at the time of issuance of a building permit or permits in regard to a lot or block on a plan of subdivision for which payments have been made pursuant to subsection 3.14, the type of dwelling unit for which building permits are being issued is different from that used for the calculation and payment under subsection 3.14, and there has been no change in the zoning affecting such lot or block, and the development charges for the type of dwelling unit for which building permits are being issued were greater at the time that payments were made pursuant to subsection 3.14 than for the type of dwelling unit used to calculate the payment under subsection 3.14, an additional payment to the Region is required, which payment, in regard to such different unit types, shall be the difference between the development charges in respect to the type of dwelling unit for which building permits are being issued, calculated as at the date of issuance of the building permit or permits, and the development charges previously collected in regard thereto, adjusted in accordance with subsection 5.1 of this by-law.

(b) If, at the time of issuance of a building permit or permits in regard to a lot or block on a plan of subdivision for which payments have been made pursuant to subsection 3.14, the total number of dwelling units of a particular type for which building permits have been or are being issued is greater, on a cumulative basis, than that used for the calculation and payment under subsection 3.14, and there has been no change in the zoning affecting such lot or block, an additional payment to the Region is required, which payment shall be calculated on the basis of the number of additional dwelling units at the rate prevailing as at the date of issuance of the building permit or permits for such dwelling units.

(c) If, at the time of issuance of a building permit or permits in regard to a lot or block on a plan of subdivision for which payments have been made pursuant to subsection 3.14, the type of dwelling unit for which building permits are being issued is different from that used for the calculation and payment under subsection 3.14, and there has been no change in the zoning affecting such lot or block, and the development charges for the type of dwelling unit for which building permits are being issued were less at the time that payments were made pursuant to subsection 3.14 than for the type of dwelling unit used to calculate the payment under subsection 3.14, a refund in regard to such different unit types shall be paid by the Region, which refund shall be the difference between the development charges previously collected, adjusted in accordance with subsection 5.1 of this by-law to the date of issuance of the building permit or permits, and the development charges in respect to the type of dwelling unit for which building permits are being issued, calculated as at the date of issuance of the building permit or permits.

(d) If, at the time of issuance of a building permit or permits in regard to a lot or block on a plan of subdivision for which payments have been made pursuant to subsection 3.14, the total number of dwelling units of a particular type for which building permits have been or are being issued is less, on a cumulative basis, than that used for the calculation and payment under subsection 3.14, and there has been no change in the zoning affecting such lot or block, a refund shall be paid by the Region, which refund shall be calculated on the basis of the number of fewer dwelling units at the rate prevailing as at the date of issuance of the building permit or permits.

3.19 Despite subsections 3.18(c) and (d), a refund shall not exceed the amount of the development charges paid under subsection 3.14. .

4.0 **PAYMENT BY SERVICES**

4.1 Despite the payments required under subsections 3.13 and 3.14, Regional Council may, by agreement, give a credit towards a development charge in exchange for work that relates to a service for which a development charge is imposed under this by-law.

5.0 **INDEXING**

5.1 Development charges imposed pursuant to this by-law shall be adjusted annually, without amendment to this by-law, commencing on the first anniversary date of this by-law and each anniversary date thereafter, in accordance with the Statistics Canada Quarterly Construction Price Statistics.

6.0 **SCHEDULES**

6.1 The following schedules to this by-law form an integral part thereof:

Schedule A – Components of Service Designated in Subsection 2.1

Schedule B – Lands Subject to this By-law

Schedule C – Residential Development Charges

Schedule D – Non-Residential Development Charges

7.0 **DATE BY-LAW IN FORCE**

7.1 This by-law shall come into force on the 21st day of September, 2011.

8.0 **DATE BY-LAW EXPIRES**

8.1 This by-law will expire on the 20th day of September, 2016, unless it is repealed at an earlier date. ENACTED AND PASSED this the 23rd day of June, 2011.

Denis Kelly	Bill Fisch
Regional Clerk	Regional Chair

SCHEDULE A

THE REGIONAL MUNICIPALITY OF YORK

COMPONENTS OF SERVICE DESIGNATED IN SUBSECTION 2.1

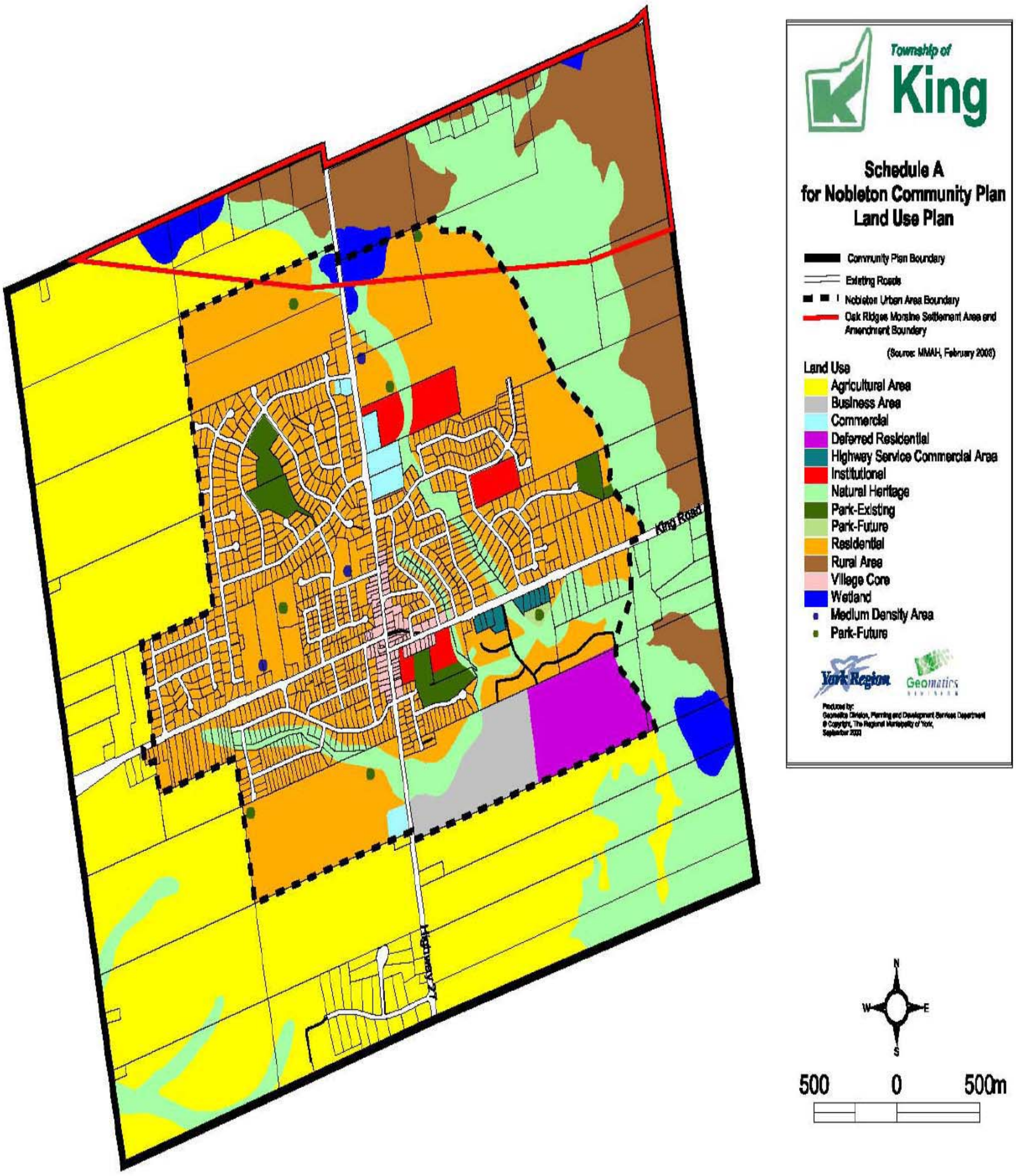
Services:

- Sewer works

Service Components

- Forcemain and Trunk sewers
- Sewage Pumping Stations
- Water Pollution Control Plant
- Outfall and Wetland
- Engineering

SCHEDULE B
THE REGIONAL MUNICIPALITY OF YORK
LANDS SUBJECT TO THIS BY-LAW



SCHEDULE C

THE REGIONAL MUNICIPALITY OF YORK

SCHEDULE OF PER UNIT RESIDENTIAL DEVELOPMENT CHARGES

FOR THE NOBLETON URBAN AREA

Residential	Single and Semi-Detached	Multiple Unit Dwelling	Apartments - 2 Bedrooms or more	Apartments - Less than 2 Bedrooms
Sewer Works	$9,438	$8,461	$5,920	$4,077

SCHEDULE D
THE REGIONAL MUNICIPALITY OF YORK
SCHEDULE OF NON-RESIDENTIAL DEVELOPMENT CHARGES
FOR THE NOBLETON URBAN AREA

Non-Residential	Per Square Foot of Gross Floor Area		Per Square Metre of Gross Floor Area	
	Industrial / Office / Institutional	Retail	Industrial / Office / Institutional	Retail
Sewer Works	$5.47	$5.47	$58.88	$58.88